

REMARKS

Applicants respectfully request the entry of the above amendments and consideration of the following remarks.

The Office Action identified claims 3, 4, 7, 16-18, and 23-25 as allowable. Claims 1, 2, 5, 6, 8-15, 19-22, and 26-28 were rejected by the Office Action and have been canceled without prejudice. Applicants have amended claims 3, 7, 16, 17, and 23-25 to place these claims in condition for allowance. Claims 3, 4, 7, 16-18, and 23-25 remain pending. Reconsideration of the present application is respectfully requested.

The specification was objected to in the Office Action because the abstract of the disclosure exceeded the maximum number of allowable words. In the specification, the abstract has been replaced with an amended abstract to comply with the maximum number of allowable words as set forth in 37 CFR 1.72(b). Applicants submit that the amendment to the specification overcomes the objection.

The Office Action objected to Figures 2, 3, and 8 because certain elements of each figure were not labeled. Applicant has amended the figures to include a label for each element. In amended Figure 2, element 78 has been labeled as “COMMUNICATIONS DEVICE.” In amended Figure 3, element 78 has been labeled as “COMMUNICATIONS DEVICE.” Support for these amendments is located in the specification at page 12, lines 10 and 16, respectively. In amended Figure 8, the x-axis has been labeled “TIME,” and the y-axis has been labeled “BANDWIDTH (kbps).” Support for these amendments to Figure 8 is located in

Figure 4 as originally filed. Applicants submit that the amendments to Figures 2, 3, and 8 overcome the objections. In addition, Applicants have amended Figure 10 to add step 1010 to reflect the description contained in the specification as originally filed at page 30, lines 1-5.

As noted above, Claims 3, 4, 7, 16-18, and 23-25 were identified as allowable by the Examiner. Claims 3 and 23-25 have been rewritten in independent form including all the limitations of the base claims and any intervening claims. A review of the claims indicates that claim 7 was inadvertently written as being dependent from claim 5, instead of being dependent from claim 1. The Examiner's statement for reasons for allowance indicates that the limitations of claim 7 are allowable subject matter and makes no reference to the subject matter of claim 5. Therefore, Applicants submit that the subject matter of claim 5 is not required for allowance of amended claim 7, and claim 7 has therefore been rewritten in independent form including all the limitations of claim 1 without the limitations of claim 5.

Claims 16 and 17 have been amended to correct minor typographical errors. Dependent Claims 4 and 18 have not been amended.

The Office Action rejected claims 1, 2, 5, 6, 8-15, 19-22, and 26-28. These claims have been canceled without prejudice or disclaimer, and Applicants reserve the right to file a continuation application directed to the subject matter of the canceled claims prior to the issuance of a patent in the present application.

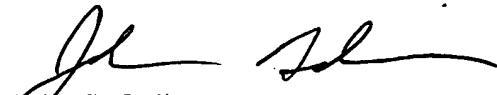
Applicants request a timely notice of allowance be issued in this case. No new matter has been added to the present application. Should any unresolved issues remain, please

Appl. No. 09/783,407
Amdt. dated October 20, 2004
Reply to Office action of August 6, 2004

Microsoft No. 190485.01

feel free to contact the undersigned at the phone number listed below. The Commissioner is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-2112.

Respectfully submitted,



John S. Golian
Reg. No. 54,702

JSG/jsg
SHOOK, HARDY & BACON L.L.P.
2555 Grand Boulevard
Kansas City, Missouri 64108-2613
816/474-6550

Amendments to the Drawings

The three attached sheets of drawings include changes to Figures 2, 3, 8, and 10. The first sheet, which includes Figures 2, 3, 5, and 6, replaces the original sheet including Figures 2, 3, 5, and 6. In Figure 2, element 78 has been labeled “COMMUNICATIONS DEVICE.” In Figure 3, element 78 has been labeled “COMMUNICATIONS DEVICE.” The second sheet, which includes Figure 8, replaces the original sheet including Figure 8. In Figure 8, the x-axis has been labeled “TIME,” and the y-axis has been labeled “BANDWIDTH (kbps).” The third sheet, which includes Figures 9 and 10, replaces the original sheet including Figures 9 and 10. In Figure 10, step 1010 has been added to the drawing to reflect the description contained in the specification as originally filed.

Attachment: Replacement Sheets